

# ANNUAL FEDERAL EQUAL EMPLOYMENT OPPORTUNITY STATISTICAL REPORT OF DISCRIMINATION COMPLAINTS

(REPORTING PERIOD BEGINS OCTOBER 1ST AND ENDS SEPTEMBER 30TH)

AGENCY OR DEPARTMENT: Surface Transportation Board

REPORTING PERIOD: FY 2004

## PART I - PRE-COMPLAINT COUNSELING

EEO COUNSELOR		
	COUNSELINGS	INDIVIDUALS
A. TOTAL COUNSELED	4	3
1. COUNSELED WITHIN 30 DAYS	4	3
2. COUNSELED WITHIN 31 TO 90 DAYS		
3. COUNSELED BEYOND 90 DAYS		
4. COUNSELED DUE TO REMANDS		-

ADR INTAKE OFFICER		
	COUNSELINGS	INDIVIDUALS
B. TOTAL COUNSELED	1	1
1. COUNSELED WITHIN 30 DAYS	1	1
2. COUNSELED WITHIN 31 TO 90 DAYS		
3. COUNSELED BEYOND 90 DAYS		

COMBINED TOTAL		
	COUNSELINGS	INDIVIDUALS
C. TOTAL COUNSELED	5	4
1. COUNSELED WITHIN 30 DAYS	5	4
2. COUNSELED WITHIN 31 TO 90 DAYS		
3. COUNSELED BEYOND 90 DAYS		
4. COUNSELED DUE TO REMANDS		

D. COUNSELING THAT DID NOT RESULT IN FILING OF COMPLAINT		
	COUNSELINGS	INDIVIDUALS
TOTAL		
1. EEO COUNSELOR	4	4
2. ADR INTAKE OFFICER		

E. NON-ADR SETTLEMENTS WITH MONETARY BENEFITS			
	COUNSELINGS	INDIVIDUALS	AMOUNT
TOTAL	0		\$
1. COMPENSATORY DAMAGES			\$
2. BACKPAY/FRONTPAY			\$
3. LUMP SUM PAYMENT			\$
4. ATTORNEYS FEES AND COSTS			\$
5. OTHER (PLEASE SPECIFY)			\$
6. OTHER (PLEASE SPECIFY)			\$
7. OTHER (PLEASE SPECIFY)			\$

F. NON-ADR SETTLEMENTS WITH NON-MONETARY BENEFITS		
	COUNSELINGS	INDIVIDUALS
TOTAL	0	
1. NEW HIRES		
2. PROMOTIONS		
3. REINSTATEMENTS		
4. EXPUNGEMENTS		
5. TRANSFERS		
6. REMOVALS RESCINDED AND VOLUNTARY RESIGNATIONS		
7. REASONABLE ACCOMMODATIONS		
8. TRAINING		
9. APOLOGY		
10. OTHER (Please specify)		
11. OTHER (Please specify)		
12. OTHER (Please specify)		

G. ADR SETTLEMENTS WITH MONETARY BENEFITS			
	COUNSELINGS	INDIVIDUALS	AMOUNT
TOTAL	0		\$
1. COMPENSATORY DAMAGES			\$
2. BACKPAY/FRONTPAY			\$
3. LUMP SUM PAYMENT			\$
4. ATTORNEYS FEES AND COSTS			\$
5. OTHER (PLEASE SPECIFY)			\$
6. OTHER (PLEASE SPECIFY)			\$
7. OTHER (PLEASE SPECIFY)			\$

H. ADR SETTLEMENTS WITH NON-MONETARY BENEFITS		
	COUNSELINGS	INDIVIDUALS
TOTAL	0	
1. NEW HIRES		
2. PROMOTIONS		
3. REINSTATEMENTS		
4. EXPUNGEMENTS		
5. TRANSFERS		
6. REMOVALS RESCINDED AND VOLUNTARY RESIGNATIONS		
7. REASONABLE ACCOMMODATIONS		
8. TRAINING		
9. APOLOGY		
10. OTHER (Please specify)		
11. OTHER (Please specify)		
12. OTHER (Please specify)		

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(REPORTING PERIOD BEGINS OCTOBER 1ST AND ENDS SEPTEMBER 30TH)

AGENCY OR DEPARTMENT: **STB**

REPORTING PERIOD: FY **2004**

## PART II FORMAL COMPLAINT ACTIVITIES

4 A. COMPLAINTS ON HAND AT THE BEGINNING OF THE REPORTING PERIOD

1 B. COMPLAINTS FILED

0 C. REMANDS

5 D. TOTAL COMPLAINTS (sum of lines A+B+C)

5 E. COMPLAINTS IN LINE D THAT WERE **NOT** CONSOLIDATED

0 F. COMPLAINTS IN LINE E CLOSED DURING REPORT PERIOD

0 G. COMPLAINTS IN LINE D THAT **WERE** CONSOLIDATED

0 H. COMPLAINTS IN LINE G CLOSED DURING REPORT PERIOD

5 I. COMPLAINTS ON HAND AT THE END OF THE REPORTING PERIOD (Line D - (sum of Lines F+H))

1 J. INDIVIDUALS FILING COMPLAINTS

0 K. NUMBER OF JOINT PROCESSING UNITS FROM CONSOLIDATION OF COMPLAINTS

## PART III AGENCY RESOURCES, TRAINING, REPORTING LINE

### A. AGENCY RESOURCES

	NUMBER	PERCENT
1. WORK FORCE		
a. TOTAL WORK FORCE	138	
b. PERMANENT EMPLOYEES	130	
2. COUNSELOR		
a. FULL-TIME		
b. PART-TIME		
c. COLLATERAL DUTY	2	
3. INVESTIGATOR	*	
a. FULL-TIME		
b. PART-TIME		
c. COLLATERAL DUTY		
4. COUNSELOR/INVESTIGATOR	*	
a. FULL-TIME		
b. PART-TIME		
c. COLLATERAL DUTY		

### B. STAFF TRAINING N/A

	COUNSELORS		INVESTIGATORS		COUNS/INVESTIG	
	AGENCY	CONTRACT	AGENCY	CONTRACT	AGENCY	CONTRACT
1. NEW STAFF - TOTAL						
a. STAFF RECEIVING REQUIRED 32 OR MORE HOURS						
b. STAFF RECEIVING 8 OR MORE HOURS, USUALLY GIVEN TO EXPERIENCED STAFF						
c. STAFF RECEIVING NO TRAINING AT ALL						
2. EXPERIENCED STAFF - TOTAL						
a. STAFF RECEIVING REQUIRED 8 OR MORE HOURS						
b. STAFF RECEIVING 32 OR MORE HOURS, GENERALLY GIVEN TO NEW STAFF						
c. STAFF RECEIVING NO TRAINING AT ALL						

### C. REPORTING LINE

1. DOES THE EEO DIRECTOR REPORT TO THE AGENCY HEAD? YES NO  
X

2. IF NO, WHO DOES THE EEO DIRECTOR REPORT TO?

PERSON:

TITLE:

\* EEO counseling and investigations are provided by a private contractor, Lee Kramer Associates.

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STB

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## PART IV. BASES AND ISSUES ALLEGED IN COMPLAINTS FILED

### BASES OF ALLEGED DISCRIMINATION

ISSUES OF ALLEGED DISCRIMINATION	RACE				COLOR	RELIGION	REPRISAL	SEX		NATIONAL ORIGIN		EQUAL PAY ACT		DISABILITY		TOTAL BASES BY ISSUE	TOTAL COMPLAINTS BY ISSUE	TOTAL COMPLAINANTS BY ISSUE
	AMER INDIAN/ ALASKAN NATIVE	ASIAN PACIFIC ISLANDER	BLACK	WHITE				MALE	FEMALE	HISPANIC	OTHER	MALE	FEMALE	MENTAL	PHYSICAL			
A. APPOINTMENT/THREE																		
B. ASSIGNMENT OF DUTIES																		
C. AWARDS																		
D. CONVERSION TO FULL TIME																		
E. DISCIPLINARY ACTION																		
1. DEMOTION																		
2. REPRISAL																		
3. SUSPENSION																		
4. REDUCTION																		
5. OTHER																		
6. OTHER																		
7. OTHER																		
F. DUTY HOUR																		
G. EVALUATION/REPRISAL																		
H. EXAMINATION/TEST																		
I. HARASSMENT																		
1. NON-SEXUAL			X													1	1	1
2. SEXUAL																		
J. MEDICAL EXAMINATION																		
K. PAY INCLUDING OVERTIME																		
L. PROMOTION/NON-SELECTION																		
M. REASSIGNMENT																		
1. DENIED																		
2. DIRECTED																		
N. REASONABLE ACCOMMODATION																		
O. REEMPLOYMENT																		
P. RETIREMENT																		
Q. TERMINATION																		
R. TERMS/CONDITIONS OF EMPLOYMENT																		
S. TIME AND ATTENDANCE																		
T. TRAINING																		
U. OTHER (Please specify below)																		
1.																		
2.																		
3.																		
4.																		
5.																		
TOTAL ISSUES BY BASES																		
TOTAL COMPLAINTS FILED BY BASES																		
TOTAL COMPLAINTS BY BASES																		

# ANNUAL FEDERAL EQUAL EMPLOYMENT OPPORTUNITY STATISTICAL REPORT OF DISCRIMINATION COMPLAINTS

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REPORTING PERIOD: FY 2004

## PART V - SUMMARY OF CLOSURES BY STATUTE

**A. STATUTE** (IF A SINGLE COMPLAINT HAS MULTIPLE STATUTES RECORD EACH ON THE APPROPRIATE LINE.)

- |   |  |
|---|--|
| 0 | 1. TITLE VII                                   |
| 0 | 2. AGE DISCRIMINATION IN EMPLOYMENT ACT (ADEA) |
| 0 | 3. REHABILITATION ACT                          |
| 0 | 4. EQUAL PAY ACT (EPA)                         |

**B. TOTAL BY STATUTES**

THIS NUMBER MAY BE LARGER THAN THE TOTAL NUMBER OF COMPLAINTS CLOSED.

(A1+A2+A3+A4)

## PART VI SUMMARY OF CLOSURES BY CATEGORY

		TOTAL NUMBER	TOTAL DAYS	AVERAGE DAYS
<b>A. TOTAL NUMBER OF CLOSURES</b>	(1+2+3)	0		
1. WITHDRAWALS				
2. SETTLEMENTS				
3. FINAL AGENCY DECISIONS	(B+C)			
<b>B. FINAL AGENCY DECISIONS <i>WITHOUT</i> AN ADMINISTRATIVE JUDGE DECISION</b>	(1+2+3)	0		
1. FINDING DISCRIMINATION				
2. FINDING NO DISCRIMINATION				
3. DISMISSAL OF COMPLAINTS				
<b>C. FINAL AGENCY ACTIONS <i>WITH</i> AN ADMINISTRATIVE JUDGE (AJ) DECISION</b>	(1+2+3)	0		
1. AJ DECISION FULLY IMPLEMENTED	(a+b)			
(a) FINDING DISCRIMINATION				
(b) FINDING NO DISCRIMINATION				
2. AJ DECISION NOT FULLY IMPLEMENTED	(a+b)			
(a) FINDING DISCRIMINATION	(i+ii+iii)			
i. AGENCY APPEALED FINDING BUT NOT REMEDY				
ii. AGENCY APPEALED REMEDY BUT NOT FINDING				
iii. AGENCY APPEALED BOTH FINDING AND REMEDY				
(b) FINDING NO DISCRIMINATION				
3. DISMISSAL OF COMPLAINTS				

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**AGENCY OR DEPARTMENT:** STB **REPORTING PERIOD: FY** 2004

## PART VII SUMMARY OF COMPLAINTS CLOSED WITH CORRECTIVE ACTION DURING FORMAL COMPLAINT STAGE

	NUMBER	AMOUNT
A. TOTAL COMPLAINTS CLOSED WITH CORRECTIVE ACTION	0	
B. CLOSURES WITH MONETARY BENEFITS	0	\$
1. BACK PAY/FRONT PAY		\$
2. LUMP SUM PAYMENT		\$
C. CLOSURES WITH NON-MONETARY BENEFITS	0	
D. CLOSURES WITH COMPENSATORY DAMAGES	0	\$
E. CLOSURES WITH ATTORNEY'S FEES AND COSTS	0	\$
F. TYPES OF CORRECTIVE ACTION	NUMBER WITH MONETARY BENEFITS	NUMBER WITH NON-MONETARY BENEFIT
1. HIRE	0	
a. RETROACTIVE		
b. NON-RETROACTIVE		
2. PROMOTION	0	
a. RETROACTIVE		
b. NON-RETROACTIVE		
3. DISCIPLINARY ACTION	0	
a. RESCINDED		
b. MODIFIED		
4. REINSTATEMENT	0	
5. REASSIGNMENT	0	
6. PERFORMANCE EVALUATION MODIFIED	0	
7. PERSONNEL FILE PURGED OF ADVERSE MATERIAL	0	
8. ACCOMMODATION	0	
9. TRAINING/TUITION/ETC.	0	
10. LEAVE RESTORED	0	
11. OTHER	0	
12. OTHER		
13. OTHER		

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## PART VIII SUMMARY OF PENDING COMPLAINTS BY CATEGORY

	NUMBER PENDING	NUMBER OF DAYS	AVERAGE DAYS	NUMBER OF DAYS PENDING FOR OLDEST CASE
A. TOTAL COMPLAINTS PENDING (SAME AS PART II Line I) (1+2+3+4)	5	3759		
1. COMPLAINTS PENDING WRITTEN NOTIFICATION				
2. COMPLAINTS PENDING IN INVESTIGATION				
3. COMPLAINTS PENDING IN HEARINGS	5	3759	751.8	1892
4. COMPLAINTS PENDING A FINAL AGENCY DECISION				

## PART IX SUMMARY OF INVESTIGATIONS COMPLETED

	TOTAL	TOTAL DAYS	AVERAGE DAYS
A. INVESTIGATIONS COMPLETED DURING REPORTING PERIOD (1+3)	3	189	
1. INVESTIGATIONS COMPLETED BY AGENCY PERSONNEL (a+b+c)			
a. INVESTIGATIONS COMPLETED IN 180 DAYS OR LESS			
b. INVESTIGATIONS COMPLETED IN 181 - 360 DAYS			
c. INVESTIGATIONS COMPLETED IN 361 OR MORE DAYS			
2. COST OF AGENCY INVESTIGATIONS	\$		
3. INVESTIGATIONS COMPLETED BY CONTRACTORS (a+b+c)	3	189	63
a. INVESTIGATIONS COMPLETED IN 180 DAYS OR LESS	3	189	63
b. INVESTIGATIONS COMPLETED IN 181 - 360 DAYS			
c. INVESTIGATIONS COMPLETED IN 361 OR MORE DAYS			
4. COST OF CONTRACTOR INVESTIGATIONS	\$ 5,200		

**ANNUAL FEDERAL EQUAL EMPLOYMENT OPPORTUNITY  
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AGENCY OR DEPARTMENT: STB REPORTING PERIOD: FY 2004

**PART X SUMMARY OF ADR PROGRAM ACTIVITIES**

**INFORMAL PHASE (PRE-COMPLAINT)**

	COUNSELINGS	INDIVIDUALS	DAYS	AVERAGE DAYS
A. ADR PENDING FROM PREVIOUS REPORTING PERIOD				
B. ADR ACTIONS FOR CURRENT REPORTING PERIOD				
1. ADR OFFERED				
2. REJECTED BY INDIVIDUAL				
3. REJECTED BY AGENCY				
4. TOTAL ACCEPTED INTO ADR	1	1		
C. RESOURCES USED (1+2+3+4+5+6+7)				
1. INHOUSE				
2. ANOTHER FEDERAL AGENCY				
3. PRIVATE ORGANIZATIONS, (e.g., CONTRACTORS, BAR ASSOCIATIONS, INDIVIDUAL VOLUNTEERS OR COLLEGE/UNIVERSITY PERSONNEL)	1	1		
4. MULTIPLE RESOURCES USED (Please specify)				
5. OTHER (Please specify)				
6. OTHER (Please specify)				
7. OTHER (Please specify)				
D. ADR ATTEMPTS (1+2+3+4+5+6+7+8+9+10+11)			DAYS	AVERAGE DAYS
1. MEDIATION	1	1	15	15
2. SETTLEMENT CONFERENCES				
3. EARLY NEUTRAL EVALUATIONS				
4. FACTFINDING				
5. FACILITATION				
6. OMBUDSMAN				
7. PEER REVIEW				
8. MULTIPLE TECHNIQUES USED (Please specify)				
9. OTHER (Please specify)				
10. OTHER (Please specify)				
11. OTHER (Please specify)				
E. STATUS OF CASES	COUNSELINGS	INDIVIDUALS	DAYS	AVERAGE DAYS
1. TOTAL CLOSED (e+b+c+d+e+f)	1	1	15	15
a. SETTLEMENTS WITH BENEFITS (Monetary and Non-monetary)				
b. NO FORMAL COMPLAINT FILED				
c. NO RESOLUTION	1	1	15	15
d. NO ADR ATTEMPT				
e. OTHER (Please specify)				
f. OTHER (Please specify)				
2. OPEN INVENTORY - ADR PENDING	0			

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AGENCY OR DEPARTMENT: STB REPORTING PERIOD: FY 2004

**PART XI SUMMARY OF ADR PROGRAM ACTIVITIES**

**FORMAL PHASE**

	COMPLAINTS	COMPLAINANTS	DAYS	AVERAGE DAYS
<b>A. ADR PENDING FROM PREVIOUS REPORTING PERIOD</b>	0	0		
<b>B. ADR ACTIONS FOR CURRENT REPORTING PERIOD</b>				
1. ADR OFFERED				
2. REJECTED BY COMPLAINANT				
3. REJECTED BY AGENCY				
4. TOTAL ACCEPTED INTO ADR	1	1		
<b>C. RESOURCES USED (1+2+3+4+5+6+7)</b>				
1. INHOUSE				
2. ANOTHER FEDERAL AGENCY				
3. PRIVATE ORGANIZATIONS, (e.g., CONTRACTORS, BAR ASSOCIATIONS, INDIVIDUAL VOLUNTEERS OR COLLEGE/UNIVERSITY PERSONNEL)	1	1		
4. MULTIPLE RESOURCES USED (Please specify)				
5. OTHER (Please specify)				
6. OTHER (Please specify)				
7. OTHER (Please specify)				
<b>D. ADR ATTEMPTS (1+2+3+4+5+6+7+8+9+10+11+12)</b>				
1. MEDIATION	1	1	15	15
2. SETTLEMENT CONFERENCES				
3. EARLY NEUTRAL EVALUATIONS				
4. FACTFINDING				
5. FACILITATION				
6. OMBUDSMAN				
7. MINI-TRIALS				
8. PEER REVIEW				
9. MULTIPLE TECHNIQUES USED (Please specify)				
10. OTHER (Please specify)				
11. OTHER (Please specify)				
12. OTHER (Please specify)				
<b>E. STATUS OF CASES</b>	COMPLAINTS	COMPLAINANTS	DAYS	AVERAGE DAYS
1. TOTAL CLOSED (a+b+c+d+e+f)	0			
a. SETTLEMENTS WITH BENEFITS (Monetary and Non-monetary)				
b. WITHDRAWAL FROM EEO PROCESS				
c. NO RESOLUTION				
d. OTHER (Please specify)				
e. OTHER (Please specify)				
f. OTHER (Please specify)				
2. OPEN INVENTORY - ADR PENDING	5	4	3759	751.8
<b>F. BENEFITS RECEIVED</b>	COMPLAINTS	COMPLAINANTS	AMOUNT	
1. MONETARY (INSERT TOTAL)	0	0	\$ 0	
a. COMPENSATORY DAMAGES			\$	
b. BACKPAY/FRONTPAY			\$	
c. LUMP SUM			\$	
d. ATTORNEY'S FEES AND COSTS			\$	
e. OTHER (Please specify)			\$	
f. OTHER (Please specify)			\$	
g. OTHER (Please specify)			\$	
2. NON-MONETARY (INSERT TOTAL)	0	0		
a. NEW HIRES				
b. PROMOTIONS				
c. REINSTATEMENTS				
d. EXPUNGEMENTS				
e. TRANSFERS				
f. REMOVALS RESCINDED AND VOLUNTARY RESIGNATIONS				
g. REASONABLE ACCOMMODATIONS				
h. TRAINING				
i. APOLOGY				
j. OTHER (Please specify)				
k. OTHER (Please specify)				
l. OTHER (Please specify)				



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AGENCY OR DEPARTMENT: STB REPORTING PERIOD: FY 2004

## PART XII SUMMARY OF ADR PROGRAM ACTIVITIES

### TRAINING AND RESOURCES

	NUMBER	TRAINED
A. BASIC ADR ORIENTATION TRAINING <span style="float: right;">N/A</span>		
1. MANAGERS		
2. EMPLOYEES		
B. EMPLOYEES THAT CAN PARTICIPATE IN ADR <span style="float: right;">N/A</span>		
C. IN HOUSE STAFF RESOURCES AVAILABLE FOR ADR		
1. FULL TIME		
2. PART TIME <span style="float: right;">N/A</span>		
3. COLLATERAL DUTY		
D. ADR FUNDING SPENT	AMOUNT	
	\$ 325	

### CERTIFICATION AND CONTACT INFORMATION

I certify that the EEO complaint data contained on this report, EEOC Form 462, Annual Federal Equal Employment Opportunity Statistical Report of Discrimination Complaints, for the reporting period October 1, through September 30, are accurate and complete.

TYPED NAME AND TITLE OF CERTIFYING OFFICIAL: Vernon Williams, EEO Director

SIGNATURE OF CERTIFYING OFFICIAL: 

TYPED NAME AND TITLE OF PREPARER: Vernon Williams, EEO Director

SIGNATURE OF PREPARER: 

DATE: 202/5/15-1718

E-MAIL: vernon.williams@stb.dot.gov

This report is due to the following address on or before October 31st:

U.S. Equal Employment Opportunity Commission  
Office of Federal Operations  
Federal Sector Programs  
1801 L Street, NW  
Washington, DC 20507